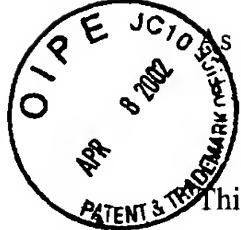


Attorney's File Number: P02971

COMBINED DECLARATION AND POWER OF ATTORNEY



As a below-named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

- original
- design
- divisional
- continuation
- continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SUSTAINED RELEASE DRUG DELIVERY DEVICES
WITH PREFABRICATED PERMEABLE PLUGS**

the specification of which is attached hereto.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

no such applications have been filed.
 such applications have been filed as follows:

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS
 (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
 AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119**

Country	Application Number	Date of Filing (day, month, year)

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)
UNDER 35 U.S.C. §120**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national filing date of this application.

US Applications	US Filing Date	Status (check one)	
		Patented	Pending

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

<u>US Application</u>	<u>US Filing Date</u>
1. 60/259,252	January 3, 2001
2.	

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Denis A. Polyn, Registration No. 27,152
William Greener, Registration No. 38,165
Craig E. Larson, Registration No. 27,917
Katherine McGuire, Registration No. 33,537
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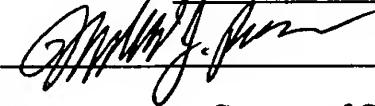
(716) 338-8417

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor: Michael J. Brubaker

Inventor's signature: 

Date: 3/16/02

Country of Citizenship: USA

Apt 3122 3/16/02

Residence: 5206 Bryant Irvin Road, Ft. Worth, Texas 76132 USA

Post Office Address: Same